

Chapter 6

Consultation and Coordination

6.1 INTRODUCTION

This chapter documents the consultation and coordination activities undertaken by the Bureau of Reclamation (Reclamation) during the preparation of this Draft Supplemental Environmental Impact Statement (DSEIS) to the 1996 Final Supplement to the Final Environmental Statement (1996 FSFES) for the Animas-La Plata Project (ALP Project). The public involvement activities are described, including the public scoping process, along with information on the activities that were implemented to solicit input from those agencies with jurisdictional authority, interest, or expertise in the activities or issues addressed in this DSEIS.

6.2 PUBLIC INVOLVEMENT ACTIVITIES

During 1999, Reclamation used several methods to obtain public input on the modified ALP Project, including scoping meetings and dissemination of public information via project newsletters and a project website. These public involvement activities are described in more detail in the following sections.

6.2.1 Public Scoping Process

One of the steps in preparing a supplemental environmental impact statement (SEIS) is called "scoping." Scoping is a public process designed to help determine the scope of issues and alternatives to be analyzed in the environmental document. Scoping occurs as early as possible after a lead agency decides to prepare a SEIS, and the process is governed by the regulations of the Council on Environmental Quality (CEQ). The scoping process provides the general public, local agencies, and affected federal and state agencies the opportunity to provide input on key issues and concerns they believe should be evaluated in the environmental document.

In January 1999, Reclamation announced its intent to prepare a supplement to the 1996 FSFES. A Notice of Intent (NOI) to prepare the DSEIS was published in the *Federal Register* on January 4, 1999. The NOI was sent to approximately 800 interested parties, including federal, state, and local officials; agency representatives; conservation organizations; local libraries and newspapers; intervenors in Reclamation proceedings; and property owners adjacent to the proposed ALP Project.

The NOI also announced that a series of scoping meetings would be conducted in February 1999 to receive public input on issues to be addressed in the DSEIS. The scoping meetings were held on February 2, 3, and 4, 1999 at the times and locations listed below. In addition to the announcement contained in the January 4, 1999 *Federal Register*, each meeting was publicly noticed approximately 30 days in advance of its scheduled date. Advertisements were placed in the local newspapers and radio stations as well.

- O** February 2, 1999: 6:00 p.m., Double Tree Hotel, Durango, Colorado

- O** February 3, 1999: 6:00 p.m., San Juan College, Farmington, New Mexico

- February 4, 1999: 6:00 p.m., Denver Convention Center, Denver, Colorado

Approximately 275 people attended the Durango meeting; 100 people attended the meeting in Farmington; and close to 50 people attended the meeting in Denver. A total of 99 oral comments were received during the scoping meetings. Transcripts of the meetings were made and are part of the public record for the ALP Project. Interested or affected individuals, organizations, and agencies were also encouraged to submit written comments to Reclamation by February 19, 1999, to most effectively be considered. Reclamation received approximately 135 letters during the comment period and additional letters were received following the close of the comment period.

Each of the written and oral statements from the scoping meetings was evaluated by Reclamation and divided into individual comments. The principal environmental comments addressed the following issues:

- Use of other existing reservoirs in lieu of building a new reservoir at Ridges Basin;
- The development of the Howardsville site in lieu of Ridges Basin site;
- The potential for injury to critical elk habitat in Ridges Basin;
- Adverse impacts to the Animas River;
- Uncertainty and doubt as to how and where the water stored at Ridges Basin would be used;
- The need to plan water supplies in southwest Colorado and Northwest New Mexico in anticipation of continued strong population growth; and
- An off-river reservoir site, with limited distribution facilities as proposed by the Administration, was criticized as creating potential unknown future impacts in the absence of any precise description as to how the system would operate.

6.2.2 Project Newsletters

Reclamation's public involvement activities have also included preparation and distribution of a series of newsletters intended to provide up-to-date information on the ALP Project environmental review process. To date, two newsletters have been sent to over 800 individuals, agencies, and organizations. The first newsletter, published in June 1999, presented an overview of the ALP Project environmental review process for implementing the Colorado Ute Indian Water Rights Settlement Agreement of 1986. The first newsletter also provided a summary of the February 1999 scoping meetings. The second newsletter, published in late September 1999, described the process being used to evaluate the various ALP Project alternatives and included brief summaries of each alternative. Additional newsletters will be published in upcoming months in parallel with key project milestones.

6.2.3 Project Website

In addition to the newsletters, Reclamation established a new link to its existing web page (located at www.uc.usbr.gov) to provide information on the ALP Project. The new site provides current information on the project's environmental review process and includes copies of the published newsletters, a more detailed description of each of the alternatives, a schedule and time line, and a site map. Interested parties can also download an electronic version of this DSEIS and will be able to provide comments on the document via E-mail during the 60-day public comment period.

6.3 CONSULTATION AND COORDINATION PROCESS

Interagency/intergovernmental coordination and consultation is an essential part of the EIS process. It provides a forum in which close working relationships are developed with agencies and organizations that are affected by or concerned about a proposed project. Similar to the public scoping process, a key objective of a consultation and coordination program is to provide an opportunity for agencies and organizations to participate in the investigation of project alternatives and provide input about specific project-related issues.

6.3.1 Coordination Activities

As the lead agency responsible for preparation of the DSEIS, Reclamation used an inter-disciplinary team of consulting resource specialists to prepare the document, including the Colorado Ute Tribes, and their staff and consultants. (A list of preparers is contained in Chapter 8, List of Preparers.) In addition, several other federal, state, and local agencies participated with the interdisciplinary team during preparation of the DSEIS. **Table 6-1** provides a list of those agencies with jurisdictional authority, interest, or expertise in the activities or issues addressed in the ALP Project DSEIS.

In addition, in June 1999, Reclamation and the U.S. Environmental Protection Agency (EPA) entered into a cooperating agency agreement (see Attachment I, Cooperating Agency Agreement and Plan of Approach) regarding preparation of the ALP Project DSEIS. The agreement outlined EPA and Reclamation's responsibilities, which included working together to reach agreement on the content on the DSEIS. However, EPA's participation as a cooperating agency does not necessarily represent agreement with Reclamation on the issues addressed in this DSEIS. As part of this effort, Reclamation and EPA prepared a Plan of Approach which described the approach and process for preparing the SEIS. A copy of the Plan of Approach is included in Attachment I and is posted on the ALP Project website as well.

Reclamation's team has also assessed the ALP Project's effect on the eligibility of the Animas River for designation as a Wild and Scenic River. Prior interagency consultation was conducted in accordance with CEQ Guidelines.

6.3.2 Consultation Activities

Reclamation and the U.S. Fish and Wildlife Service (Service) have consulted, both formally and informally, regarding potential impacts to protected species which may occur as a result of development and operation of the proposed ALP Project. Fish and wildlife impacts and mitigation measures discussed in this DSEIS are based on Reclamation's initial consultation with the Service. A Biological Assessment has been prepared by Reclamation and was submitted to the Service in December 1999; it is included as Attachment G to this DSEIS. The Final Biological Opinion on the ALP Project will be included in the

Final SEIS. A Fish and Wildlife Coordination Act Report is also being prepared by the Service and its findings will be included in the Final SEIS as well.

Reclamation has also coordinated with EPA regarding potential ALP Project effects on wetlands and water quality, and with EPA and the U.S. Army Corps of Engineers on consideration of the Section 404(b)(1) guidelines. The required 404(b)(1) evaluation is contained in Attachment B to this DSEIS.

Table 6-1 Agencies and Organizations that Participated in the ALP Project Consultation and Coordination Process	
Federal Agencies Department of the Interior Bureau of Reclamation Environmental Protection Agency Fish and Wildlife Service Bureau of Indian Affairs Army Corps of Engineers Bureau of Land Management Department of Energy, Western Area Power Administration	
State of Colorado Agencies Division of Wildlife Water Conservation Board Department of Natural Resources State Department of Agriculture State Engineer's Office Department of Transportation	
State of New Mexico Agencies Department of Game and Fish Energy, Minerals, and Natural Resources Department Environmental Department Interstate Stream Commission State Engineer's Office State Land Office	
Indian Tribes Southern Ute Indian Tribe Ute Mountain Ute Tribe Navajo Nation Jicarilla Apache Tribe	
Local Agencies Animas-La Plata Water Conservancy District San Juan Water Commission City of Durango, Colorado	

Pursuant to the Native American Graves Repatriation and Protection Act (NAGPRA), Reclamation has consulted with interested and concerned Indian tribes. Tribal representatives included elected officials, recognized traditional and religious leaders, Tribal representatives and historians, and cultural

committees. In addition, a draft NAGPRA Plan has been prepared for the ALP Project. The Plan has been prepared with regard to potential ALP Project effects on Native American human remains, associated grave goods, and objects of cultural patrimony. A draft Programmatic Agreement has also been prepared pursuant to the National Historic Preservation Act. Both the Draft Programmatic Agreement and draft NAGPRA Plan are included in Attachment H of the DSEIS.

6.3.3 Public Hearings on the Draft Supplemental Environmental Impact Statement

This DSEIS has been mailed to the list of agencies, organizations, and individuals listed in Attachment J, including those parties who participated in the Romer-Schoettler process (see Chapter 1). In addition, a stand-alone summary of the DSEIS has been mailed to all those individuals and parties listed in Reclamation's ALP Project mailing list. Any person may request a full copy of this DSEIS by either returning a pre-stamped postcard or contacting Reclamation through its ALP website. Copies of the technical appendices referenced in this DSEIS are available upon request.

The public comment period will extend for 60 days following publication of the Notice of Availability in the *Federal Register*. Public hearings on the DSEIS will be held to provide an opportunity for interested parties and agencies to present oral and written comments on this document and the proposed ALP Project. The public hearings will be held on February 15, 16, and 17, 2000 in Durango, Farmington, and Denver, respectively. Information on the meeting locations and times will be distributed via the same channels as was done for the scoping meetings.